

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION**

**HAZEL M. ROBY, as Administratrix of  
the Estate of RONALD TYRONE  
ROBY, Deceased,**

**Plaintiff,**

**V.**

**BENTON EXPRESS, INC., et al,**

**Defendants.**

[illegible]

**CIVIL ACTION NO.: 2:05cv494-MHT**

## MOTION FOR RETURN OF PRIVILEGED DOCUMENTS

COMES NOW the Defendant, Benton Express, Inc., and respectfully moves the Court to return the privileged documents that were submitted to the Court for in-camera review on March 1, 2006 (Doc. No. 107). As grounds for this motion, Defendant states that the parties have reached a full and final settlement of this case, and there is no need for the Court to reach a decision on whether the documents are privileged. Furthermore, the documents contain sensitive, confidential, and privileged information that should only be in the possession of Defendant and Defendant's counsel.

WHEREFORE, premises considered, Defendant respectfully requests that the Court return the originals and any copies of said documents to Defendant's counsel as soon as possible.

Respectfully submitted,

s/ Gregory A. Brockwell  
BRETT A. ROSS (ASB-6771-O76B)  
GREGORY A. BROCKWELL (ASB-9949-R49B)

Attorneys for Defendant Benton Express, Inc.

**OF COUNSEL:**

CARR ALLISON  
100 Vestavia Parkway  
Birmingham, AL 35216  
(205) 822-2006  
(205) 822-4058 (Direct Facsimile)  
E-mail: [bar@carrallison.com](mailto:bar@carrallison.com)  
[gab@carrallison.com](mailto:gab@carrallison.com)

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following on this the 14th day of March, 2006:

Jere L. Beasley  
Labarron N. Boone  
Julia A. Beasley  
BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS & MILES, P.C.  
218 Commerce Street  
P.O. Box 4160  
Montgomery, AL 36103-4160

s/ Gregory A. Brockwell  
Of Counsel